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Attorneys for The Huntington Beach Gables Homeowners Association

**UNITED STATES BANKRUPTCY COURT**

**CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

In re:

JAMIE LYNN GALLIAN,

Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

Adv. No. 8:21-ap-01095-SC

**MOTION TO CONTINUE PRE-TRIAL  
CONFERENCE**

THE HUNTINGTON BEACH GABLES  
HOMEOWNERS ASSOCIATION, a California  
nonprofit mutual benefit corporation,

Plaintiff,

vs.

JAMIE L GALLIAN, an individual,

Defendants.

Current Pre-Trial Conference

Hearing Date: January 14, 2025

Time: 1:30 p.m.

Courtroom: 5C – Virtual

Proposed Continued Pre-Trial Conference

Hearing Date: February 18, 2025

Time: 1:30 p.m.

Courtroom: 5C – Virtual

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES  
BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND  
ALL PARTIES ENTITLED TO NOTICE:**

The Huntington Beach Gables Homeowners Association (“Plaintiff”) hereby files its motion to continue pretrial conference based on the following facts:

**I. FACTUAL BACKGROUND**

1. On or about July 9, 2021, Jamie Lynn Gallian (“Debtor” or “Defendant”) filed a voluntary petition under Chapter 7 of the Bankruptcy Code, commencing *In re Jamie Lynn Gallian*, Case No. 8:21-bk-11710-SC,<sup>1</sup> a case before the United States Bankruptcy Court for the Central District of California, Santa Ana Division (“Main Bankruptcy Case”).

2. Plaintiff filed a complaint (the “Complaint”) initiating the above captioned adversary proceeding, *Huntington Beach Gables Homeowners Association v. Gallian, et. al*, Adv. No. 8:21-ap-01095-SC on October 18, 2021 (the “Adversary Proceeding”).

3. The Adversary Proceeding was commenced pursuant to Rules 7001(4) and (6) of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 523(a)(2)(A) and (a)(6) and 727(a)(2)(A), (a)(4), and (a)(5).

4. On October 28, 2021, Debtor filed her answer to the Complaint [Docket No. 4].

5. On October 28, 2021, Debtor filed multiple amended answers to the Complaint [Docket Nos. 5, 6, and 7].

6. Co-Defendant Randall Nickel was dismissed from this Adversary Proceeding by Order entered on February 22, 2022 as Docket No. 36.

7. On July 7, 2023, in *Houser Bros. Co. v. Gallian*, Adv. No. 8:21-ap-01097-SC as Docket No. 100, the Court denied Debtor’s discharge pursuant to 11 U.S.C. §§ 727(a)(2)(A), (a)(4), and (a)(5). All appeals of Debtor regarding the discharge have been exhausted as of August 14, 2024 and the denial of entry of a discharge is final.

8. A Pretrial Conference in this Adversary Proceeding is currently scheduled for January 14, 2025 at 1:30 p.m. On December 26, 2024 and December 30, 2024, Plaintiff’s counsel contacted Defendant to request that she stipulate to a dismissal of the Adversary Proceeding. Plaintiff’s counsel received no response.

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<sup>1</sup> The Main Bankruptcy Case was originally assigned to the Honorable Erithe A Smith, U.S. Bankruptcy Judge before being reassigned to the Honorable Scott C. Clarkson, U.S. Bankruptcy Judge on September 1, 2022.

1 9. Accordingly, on December 31, 2024, Plaintiff filed a motion to dismiss this  
2 adversary proceeding.

3 **II. CONCLUSION**

4 **WHEREFORE**, based on the foregoing, Plaintiff requests that the Pre-Trial Conference  
5 currently scheduled for January 14, 2025 at 1:30 p.m. be continued for approximately thirty (30)  
6 days to February 18, 2025 at 1:30 p.m., or as the Court deems appropriate.

7 Dated: December 31, 2024

8 Respectfully submitted,

9 **GOE FORSYTHE & HODGES LLP**

10 By: /s/ Brandon J. Iskander  
11 Robert P. Goe  
12 Brandon J. Iskander  
13 Attorneys for Huntington Beach Gables  
14 Homeowners Association  
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 17701 Cowan Avenue, Suite 210, Building D, Irvine, CA 92614

A true and correct copy of the foregoing document entitled (*specify*): **MOTION TO CONTINUE PRE-TRIAL CONFERENCE** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) December 31, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com; Goe.RobertP.R@notify.bestcase.com
- **Jeffrey I Golden (TR)** lwerner@go2.law, jig@trustesolutions.net; kadele@go2.law; C205@ecfcbis.com
- **Brandon J. Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) December 31, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows: Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**Jamie Lynn Gallian**  
16222 Monterey Ln Unit 376  
Huntington Beach, CA 92649

**Michael D Poole**  
Feldsott & Lee  
23161 Mill Creek Dr Ste 300  
Laguna Hills, CA 92653

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:**

(*state the method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) December 31, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows: Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott Clarkson, USBC  
411 West Fourth Street, Suite 5130, Courtroom 5C  
Santa Ana, CA 92701

Via email: [jamiegallian@gmail.com](mailto:jamiegallian@gmail.com)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 31, 2024  
Date

Danielle Cyrankowski  
Printed Name

/s/ Danielle Cyrankowski  
Signature